

McGREGOR W. SCOTT
United States Attorney
ROBERT J. ARTUZ
Special Assistant U.S. Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

HOPELYN RHIANNON AUSK,

Defendant.

CASE NO. 2:20-MJ-00134-KJN

STIPULATION FOR EXTENSION OF TIME FOR
PRELIMINARY HEARING PURSUANT TO RULE
5.1(D) AND EXCLUSION OF TIME AND
[PROPOSED] FINDINGS AND ORDER

DATE: September 29, 2020
TIME: 2:00 p.m.
COURT: Hon. Allison Claire

Plaintiff United States of America, by and through its attorney of record, Special Assistant U.S. Attorney ROBERT J. ARTUZ, and Defendant, Hopelyn Ausk, both individually and by and through her counsel of record, Doug Beevers, hereby stipulate as follows:

1. The Complaint in this case was filed on September 3, 2020, and Defendant Hopelyn Ausk first appeared before a judicial officer of the Court in which the charges in this case were pending on September 11, 2020. The Court set a preliminary hearing date of September 29, 2020.

2. By this fourth stipulation, the parties jointly move for an extension of time of the preliminary hearing date to October 30, 2020, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the defense reasonable time for preparation, and for the government's collection and production of discovery and continuing investigation of the case. For example, the government is continuing to provide discovery relevant to this case. Defense counsel needs additional time to review and consider

1 all the evidence and to conduct further investigation. The parties further agree that the interests of
2 justice served by granting this continuance outweigh the best interests of the public and the defendant in
3 a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

4 3. The parties agree that good cause exists for the extension of time, and that the extension
5 of time would not adversely affect the public interest in the prompt disposition of criminal cases.
6 Therefore, the parties request that the time between September 29, 2020, and October 30, 2020, be
7 excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

8 IT IS SO STIPULATED.

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10 Dated: September 21, 2020

McGREGOR W. SCOTT
United States Attorney

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12 /s/ ROBERT J. ARTUZ
ROBERT J. ARTUZ
Special Assistant U.S. Attorney

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14
15 Dated: September 21, 2020

/s/ DOUG BEEVERS
DOUG BEEVERS
Assistant Federal Defender
Counsel for Defendant
Hopelyn Rhiannon Ausk

1 MCGREGOR W. SCOTT
United States Attorney
2 ROBERT J. ARTUZ
Special Assistant U.S. Attorney
3 501 I Street, Suite 10-100
Sacramento, CA 95814
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CASE NO. 2:20-MJ-00134-KJN

[PROPOSED] FINDINGS AND ORDER
EXTENDING TIME FOR PRELIMINARY
HEARING PURSUANT TO RULE 5.1(d) AND
EXCLUDING TIME

DATE: September 29, 2020
TIME: 2:00 p.m.
COURT: Hon. Allison Claire

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18 The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing
19 Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on September 21, 2020.
20 The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order,
21 demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule
22 5.1(d) of the Federal Rules of Criminal Procedure.

23 Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests
24 of justice served by granting this continuance outweigh the best interests of the public and the defendant
25 in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would
26 not adversely affect the public interest in the prompt disposition of criminal cases.

27 THEREFORE, FOR GOOD CAUSE SHOWN:


- 28 1. The date of the preliminary hearing is extended to October 30, 2020, at 2:00 p.m.

1 2. The time between September 29, 2020, and October 30, 2020, shall be excluded from
2 calculation pursuant to 18 U.S.C. § 3161(h)(7)(A).

3 3. Defendants shall appear at that date and time before the Magistrate Judge on duty.
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5 IT IS SO ORDERED.

6 DATED: September 21, 2020


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE